

Notice of Allowability

Application No.

10/040,219

Examiner

Cheukfan Lee

Applicant(s)

BOGDANOWICZ ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed June 16, 2006.
2. ☒ The allowed claim(s) is/are 1, 3, and 5-15, now renumbered 1, 2, 4, 3, and 5-13, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


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1. All pending claims 1, 3, and 5-15 are allowed. Claims 1, 8, 10, and 13 are independent.
2. The amendment filed June 16, 2006 has overcome the rejection of claims 3-7 under 35 U.S.C. 112, second paragraph, and the objection to claims 1, 6-9, 11, and 13-15.

3. The following is an examiner's statement of reasons for allowance:

Reasons for allowance for independent claims 1, 8, 10, and 13 given in the previous Office Action dated March 24, 2006 are still valid after the updated search. The reasons are repeated below.

Claim 1 is allowable because the claimed detailed is not taught by the closest prior art Houston et al. (6,442,497), including the scan data representing printing densities which when written out to the film recorder produces printing densities of the output film onto the target print material that are identical to the printing densities of the same photographic film optically transferred onto the target print material.

Claim 8 and its dependent claim 9 are allowable because the closest prior art Houston et al. (6,442,497) does not disclose the steps of comparing the scan measurements to aim values derived from the film calibration elements, the aim values representing printing densities of the output film, and adjusting the film scanning device

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until the scan measurements substantially agree with or equal to the aim values as claimed.

Claim 10 and its dependent claims 11 and 12 are allowable because the closest prior art Houston et al. (6,442,497) does not disclose a telecine scanning device that continuously scans the motion picture film after the telecine scanning device is calibrated in relation to printing densities.

Claim 13 and its dependent claims 14 and 15 are allowable because the closest prior art Houston et al. (6,442,497) does not disclose calibrating, using the calibrating element (Fig. 3), the film scanning device with respect to aim values representing printing densities and generating calibrated scan settings, and producing code values by the film scanning device as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cheukfan Lee
September 10, 2006